

# of the State of Washington

# **DIGEST SUPPLEMENT**

To Legislative Digest and History of Bills **Supplement No. 37\*** 

### FIFTY-NINTH LEGISLATURE

Wednesday, March 2, 2005

52nd Day - 2005 Regular

	SENATE	H	IOUSE
SB 5042-S SB 5043-S SB 5077-S SB 5125-S SB 5130-S SB 5132-S SB 5165-S SB 5165-S SB 5166-S SB 5172-S SB 5220-S SB 5234-S SB 5242-S SB 5242-S SB 5259-S SB 5288-S SB 5293-S SB 5333-S	SB 5375-S SB 5404-S SB 5441-S2 SB 5457-S SB 5641-S SB 5643-S SB 5666-S SB 5719-S SB 5763-S SB 6066 SB 6067 SB 6068 SB 6069 SB 6070 SB 6071	HB 1071-S HB 1079-S HB 1380-S HB 1512-S HB 1516-S HB 1536-S HB 1545-S HB 1570-S HB 1652-S HB 1850-S HB 2251 HB 2252 HB 2253 HB 2253 HB 2254 HB 2255 HB 2256 HB 2256	HB 2258 HB 2259 HB 2260 HB 2261 HB 2262 HB 2263 HB 2264 HB 2265 HB 2266 HJM 4020

### **House Bills**

HB 1071-S by House Committee on Health Care (originally sponsored by Representatives Campbell and Morrell)

Concerning the uniform disciplinary act for health professions.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the secretary of health to establish a work group to review the complaint processing and sanction determination phases of the health professions disciplinary process. At the secretary of health's discretion, the work group may include representatives of different health profession boards and commissions, professional associations, and other interested parties. The work group shall submit a report to the legislature by December 1, 2005, with recommendations for creating: (1) Greater efficiencies between the health professions boards and commissions and the secretary of health in processing complaints against license holders; and

(2) More consistent sanction determinations that balance the protection of the public's health and the rights of health care providers among the different health professions, including recommendations for specific ranges of sanctions for each act of unprofessional conduct and the effect of any aggravating and mitigating factors that may apply to each.

Requires the disciplining authority to revoke the license of a license holder who is found, in three unrelated orders under RCW 18.130.110 in a ten-year period, to have engaged in three separate courses of unprofessional conduct based upon any combination of the designated act.

Declares that nothing in this act limits the ability of the disciplining authority to impose any sanction, including revocation, for a single violation of any subsection of RCW 18.130.180.

Provides that, notwithstanding RCW 9.96A.020(1), revocation of a license under this act is not subject to a petition for reinstatement under RCW 18.130.150.

### -- 2005 REGULAR SESSION --

Feb 25 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 1 Referred to Appropriations.

HB 1079-S by House Committee on Higher Education (originally sponsored by Representatives Kagi, Kenney, Chase, Dickerson and Schual-Berke; by request of Governor Locke)

Establishing a foster youth postsecondary education and training coordination committee. Revised for 1st Substitute: Regarding postsecondary education and training support for foster youth.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to encourage and support foster youth to pursue postsecondary education or training opportunities. A coordination committee that provides statewide planning and oversight of related efforts will improve the effectiveness of both current and future initiatives to improve postsecondary educational outcomes for foster youth.

Provides that the duties of the oversight committee shall include, but are not limited to: (1) Assessing the scope and nature of statewide need among current and former foster youth for assistance to pursue and participate in postsecondary education or training opportunities;

(2) Identifying available sources of funding available in the state for services to former foster youth to pursue and participate in postsecondary education or training opportunities;

(3) Reviewing the effectiveness of activities in the state to support former foster youth to pursue and participate in postsecondary education or training opportunities;

(4) Identifying new activities, or existing activities that should be modified or expanded, to best meet statewide needs:

(5) Reviewing on an ongoing basis the progress toward improving educational and vocational outcomes for foster youth.

### -- 2005 REGULAR SESSION --

Feb 25 HE - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Mar 1 Passed to Rules Committee for second reading.

HB 1380-S by House (originally sponsored by Representatives Hunter, Cox, Haigh, McIntire, Quall, McCoy, Hudgins, Morrell, Simpson, P. Sullivan, Kessler, Fromhold, Jarrett, Anderson, Tom, McDermott, Pettigrew, Morris, Hunt, Linville, Kilmer, Appleton, Sells, Ormsby, Upthegrove, Conway, Kenney, O'Brien, Kagi, Roberts, Clibborn and Chase; by request of Governor Gregoire)

Requiring an education and higher education finance study.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: (1) The early years mark the most extraordinary period of growth for young children. The state's role in providing access to early learning opportunities has never been consistently defined;

- (2) More than a quarter of a century has passed since the current school finance system was first created, and the challenges facing our schools and students have grown and changed dramatically during that time. Policies have been established creating new expectations and goals for students under education reform;
- (3) Demographic pressures and work force needs will continue to increase demand for access to postsecondary education and training. Public two-year and four-year institutions of higher education are also important avenues for programs such as adult basic education and English as a second language that are the foundation for employment and further education for an increasing number of people. Students have paid an increasing cost of their education with tuition growing faster than personal income or inflation; and
- (4) Through a comprehensive study, the legislature will have solid information to determine how best to use its resources to create a strong education system that will provide an educated citizenry and a thriving economy in this

Creates the comprehensive education study steering committee.

Requires the steering committee to provide interim reports to the appropriate fiscal and policy committees of the senate and the house of representatives by November 15, 2005, and June 16, 2006. These interim reports will document completed and ongoing work, initial findings, and next steps. The November 15, 2005, interim report may recommend possible action items for consideration in the 2006 legislative session.

Provides that the final report and recommendations of the steering committee shall be submitted to the legislature by November 15, 2006.

Expires July 1, 2007.

### -- 2005 REGULAR SESSION --

Feb 24 APP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 1 Passed to Rules Committee for second reading.

HB 1512-S by House Committee on Health Care (originally sponsored by Representatives Morrell, Clibborn, Moeller, Cody, Green, Appleton, Roberts, Sommers, Blake, Schual-Berke, Flannigan, Sells, Kenney and Kagi)

Concerning improving the quality of care in state-purchased health care programs.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the secretary shall, in collaboration with other state agencies that administer state purchased health care programs, private health care purchasers, health care providers, and carriers, use evidence-based medicine principles to develop common performance measures and implement financial incentives in contracts with insuring entities and providers that: (1) Reward improvements in health outcomes for individuals with chronic diseases, increased utilization of appropriate preventive health services, and reductions in medical errors; and

(2) Increase, through appropriate incentives to insuring entities and providers, the adoption and use of information technology that contributes to improved health outcomes, better coordination of care, and decreased medical errors.

### -- 2005 REGULAR SESSION --

Feb 24 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 1 Passed to Rules Committee for second reading.

HB 1516-S by House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Tom, Kagi, Hankins, Haler, Cody, Priest, Campbell, Kessler, Dunshee, Clibborn, Wallace, Dickerson, Linville, Fromhold, Hunter, Green, Morrell, Darneille, McDermott, Simpson, Chase, O'Brien, Sells, Roberts, Kilmer, Moeller and Ormsby)

Increasing access to health services for children through the "kids get care" service delivery model.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that "kids get care" assures that integrated preventive medical, oral, and developmental health services are provided to young children. Improving the delivery of well child visits, preventive oral health services, and developmental screening can reduce the need for hospitalization, caries treatment, and developmental interventions.

Provides that "kids get care" expands the use of evidence-based preventive measures in community health centers and private medical practices that treat many low-income children. "Kids get care" also strengthens the connections between social service agencies working with low-income families and local health care providers.

Declares an intent to facilitate low-income children's access to appropriate preventive and well-child services and to other necessary health, mental health, and dental services by supporting the extension of the successful "kids get care" model for delivering health services to children.

Provides that \$435,000 of the general fund--state appropriation for fiscal year 2006 and \$760,000 of the general fund--state appropriation for fiscal year 2007 is provided solely to the department of health to develop and implement best practices in preventive health care for children statewide.

Provides that the act shall be null and void if appropriations are not approved.

### -- 2005 REGULAR SESSION --

Feb 24 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 28 Referred to Appropriations.

HB 1536-S by House Committee on Health Care (originally sponsored by Representatives Moeller, Hinkle, Cody, Morrell, Skinner, Campbell, Clibborn, Schual-Berke and Kenney; by request of Department of Health)

Providing the secretary of health with authority to administer grants.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides the secretary of health with authority to administer grants.

Requires the department to report to the legislature a summary of the grants distributed under this authority, for each year of the first biennium after the department receives authority to distribute grants under this act, and make it electronically available.

### -- 2005 REGULAR SESSION --

Feb 24 HC - Majority; 1st substitute bill be substituted, do pass.

Mar 1 Passed to Rules Committee for second reading.

HB 1545-S by House Committee on Health Care (originally sponsored by Representatives Curtis, Cody, Bailey, Clibborn, Skinner and Schual-Berke)

Regulating adult family home staff.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department to implement, as part of the required training and continuing education, food safety training and testing integrated into the curriculum that meets the standards established by the state board of health pursuant to chapter 69.06 RCW. Individual food handler permits are not required for persons who begin working in

an adult family home after June 30, 2005, and successfully complete the basic and modified-basic caregiver training, provided they receive information or training regarding safe food handling practices from the employer prior to providing food handling or service for the clients. Documentation that the information or training has been provided to the individual must be kept on file by the employer.

Provides that licensed adult family home providers or employees who hold individual food handler permits prior to June 30, 2005, will be required to maintain continuing education of .5 hours per year in order to maintain food handling and safety training.

Provides that, except for the food safety training standards adopted by the state board of health under RCW 69.06.010, the provisions of chapter 69.06 RCW do not apply to persons who work in adult family homes and successfully complete training and continuing education as required by this act.

### -- 2005 REGULAR SESSION --

Feb 25 HC - Majority; 1st substitute bill be substituted, do pass.

Mar 1 Passed to Rules Committee for second reading.

HB 1570-S by House (originally sponsored by Representatives McIntire, Simpson, Jarrett, Fromhold and Dunshee)

Creating the Washington voluntary accounts program.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that many workers do not have access to an employment-based retirement plan. Workers who are unable to build up pensions and savings risk living on low incomes in their old age and are more likely to become dependent on state services.

Declares that the Washington voluntary accounts program will provide a simple and inexpensive way for workers to save for retirement and employers to offer an employee benefit.

### -- 2005 REGULAR SESSION --

Feb 24 APP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 1 Passed to Rules Committee for second reading.

HB 1652-S by House Committee on Health Care (originally sponsored by Representatives Ericks, Appleton, Simpson, Kilmer, Eickmeyer, Woods, Lovick, Santos and Linville)

Authorizing fire protection districts to establish or participate in health clinic services.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 52.02.020 to authorize fire protection districts to establish or participate in health clinic services.

### -- 2005 REGULAR SESSION --

Feb 24 HC - Majority; 1st substitute bill be substituted, do pass.

Feb 28 Passed to Rules Committee for second reading.

HB 1850-S by House Committee on Health Care (originally sponsored by Representatives Schual-Berke and Cody)

Creating a retired volunteer medical worker license.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the secretary to issue a retired volunteer medical worker license to any applicant who: (1) Has held an active license issued by a disciplining authority under RCW 18.130.040 no more than ten years prior to applying for an initial license under this act;

- (2) Does not have any current restrictions on the ability to obtain a license for violations of chapter 18.130 RCW;
- (3) Submits proof of registration as a volunteer with a local organization for emergency services or management as defined by chapter 38.52 RCW or local public health jurisdiction program to coordinate responses to an emergency or disaster.

Provides that license holders under this act must be supervised and may only perform duties corresponding to the scope of practice associated with the active license that they had prior to retirement.

Provides that a person who holds a retired volunteer medical worker license issued under this act who provides assistance during an emergency or disaster, as defined in RCW 38.52.010, while at the scene, an alternative care site, a hospital site, en route to such a site, or while participating in an approved training for an emergency or disaster, without compensation or the expectation of compensation and within the scope of their assigned duties and under the direction of the local organization with which he or she has been registered, shall not be liable for civil damages resulting from any act or omission in the rendering of such assistance or in transporting such persons, other than acts or omissions constituting gross negligence or willful or wanton misconduct.

### -- 2005 REGULAR SESSION --

Feb 25 HC - Majority; 1st substitute bill be substituted, do pass.

Mar 1 Referred to Appropriations.

**HB 2251** by Representatives Green, Darneille, Williams, Conway, Kirby and Simpson

Providing compensation and benefits to active duty military members.

Provides that if, on or after November 1, 2004, an officer or employee of the state is called into the federal service of the United States for a period exceeding thirty days, the officer or employee shall receive from the state the difference between his or her normal pay while employed by the state and his or her pay and allowances while in the service of the United States if the pay and allowances while in the service of the United States is less than his or her pay while employed by the state.

Provides that the officer or employee shall also continue to receive from the state any pension and retirement benefits he or she was receiving prior to being called to federal service as long as he or she continues to make any necessary employee contributions to those benefits that he or she would be making if still regularly employed by

the state. Payment and benefits provided for a mobilization under this provision shall not exceed four years.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to State Government Operations & Accountability.

### **HB 2252** by Representative Linville

Modifying bed banking provisions.

Provides that, when a facility returns beds banked under chapter 70.38 RCW to service, or adds new beds through the certificate of need process, the facility's per patient day reimbursement rate for the direct care, support services, therapy, and operations cost components, shall not be adjusted downward or reduced. The department shall not use the increased bed capacity to recalculate these component rates, nor shall the increased bed capacity be used to recalculate minimum occupancy levels.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Appropriations.

HB 2253 by Representatives McDermott, Hunt, Green, Kenney and Ormsby

Changing the primary election date.

Requires nominating primaries for general elections to be held in November, and the election of precinct committee officers, must be held on the second Tuesday of the preceding June.

Repeals RCW 29A.04.158, 29A.04.311, and 29A.52.011.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to State Government Operations & Accountability.

### **HB 2254** by Representative Cody

Clarifying protections provided to quality improvement activities.

Declares an intent to clarify the protections provided to quality improvement activities conducted through peer review committees under RCW 4.24.250 or coordinated quality improvement programs under RCW 43.70.510 or 70.41.200.

### -- 2005 REGULAR SESSION --

Feb 28 First reading, referred to Health Care.
Mar 1 HC - Executive action taken by committee.

### **HB 2255** by Representative Conway

Making adjustments to improve benefit equity in the unemployment insurance system.

Finds that the unemployment insurance system, created to set aside unemployment reserves to be used for the benefit of persons who are unemployed through no fault of their own and to maintain purchasing power and limit the social consequences of unemployment, is falling short of its goals by failing to recognize the importance of applying liberal construction for the purpose of reducing involuntary unemployment, and the suffering caused by it, to the minimum, and by failing to provide equitable benefits to unemployed workers.

Declares an intent to reinstate the requirement for liberal construction of the unemployment insurance laws and to make adjustments in the unemployment insurance system to allow improvements in benefit equity.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Commerce & Labor.

HB 2256 by Representatives Condotta, Armstrong, McDonald, Clements, Schindler, Holmquist, Rodne, Kristiansen, Bailey, McCune, Sump, Shabro, Kretz and Newhouse

Creating a public employees bill of rights.

Finds that it is a substantial governmental interest to: (1) Extend to public employees protections similar to those afforded to private sector employees regarding reporting and accountability for their bargaining representatives;

- (2) Assure that a public employee's right to refrain from compelled speech and from financing expenditures that are not germane to the collective bargaining process or to contract administration is properly balanced with the bargaining representative's ability to collect dues and fees and to use them;
- (3) Discourage corruption and mismanagement within employee organizations; and
- (4) By providing better information, reduce the disputes brought under union security clauses between members of a bargaining unit and their bargaining representative.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Commerce & Labor.

### **HB 2257** by Representatives Williams and Conway

Requiring state contracts to be in the state's best interests.

Declares that it is essential that the legislature and state agencies spend tax dollars in a manner that is both responsible and consistent with the best interests of the state and the nation. The legislature and state agencies should, therefore, consider indirect benefits that may be achieved when entering into state contracts for goods and services. Such benefits include, but are not limited to, job creation, capital investment, and economic stimulus. Additionally, such benefits include greater protection of privacy interests, less risk of disclosure of personal information, and avoidance of undue risk.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Commerce & Labor.

### **HB 2258** by Representatives Murray and Wallace

Modifying the commute trip reduction tax credit.

Revises provisions relating to commute trip reduction tax credit.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Transportation.

**HB 2259** by Representatives Takko, Simpson and Schindler

Requiring a vote of the people in specified circumstances before a city may assume jurisdiction over a water-sewer district.

Requires a vote of the people in specified circumstances before a city may assume jurisdiction over a water-sewer district.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Local Government.

### **HB 2260** by Representatives Skinner and Williams

Establishing a moratorium on boarding home and adult family home licenses in Yakima county.

Finds that some areas of the state have a significantly higher capacity of licensed boarding home, adult family home, and nursing home beds than they have occupancy. In Yakima county, in addition to having significantly higher capacity than occupancy in boarding homes, adult family homes, and nursing homes, approximately seventy-eight percent of those receiving care in adult family homes, boarding homes, and nursing home beds are on medicaid. High vacancy rates, coupled with a high medicaid population in these care settings, can lead to quality of care issues and cost shifting to the private pay sector.

Declares that it is for this reason that a moratorium on licensing of new boarding homes and adult family homes should occur until a comprehensive study can be completed on occupancy rates and projected future need in boarding homes, nursing homes, and adult family homes.

Provides that, effective July 1, 2005, and for any application received after July 1, 2005, a moratorium exists on all new boarding home and adult family home licenses in Yakima county until June 30, 2007. The department of social and health services may issue a license to an applicant for operation of a boarding home or adult family home if the schematic plans or construction drawings for a proposed facility were submitted prior to July 1, 2005.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Health Care.

### **HB 2261** by Representative Bailey

Concerning agricultural land use regulations.

Amends RCW 36.70A.060 relating to encouraging agricultural activities in counties and cities planning under the growth management act.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Local Government.

### **HB 2262** by Representatives Bailey and Alexander

Concerning new mandated health benefits.

Declares that, after the effective date of this act, any new mandated health benefit for specific health services only applies to state purchased health care programs as defined in RCW 41.05.011(2) for a period of one year from the effective date of the new mandated benefit. On or before March 1st, after the one-year period for which the mandated benefit has been applied, the health care authority shall

submit to the president of the senate and speaker of the house of representatives a report indicating the impact the mandated benefit has had on state purchased health care programs, including data on the utilization and costs of the mandated benefits.

Requires the report to also include a recommendation whether the mandated benefit should continue for state purchased health care programs or whether additional utilization and cost data is required.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Health Care.

### **HB 2263** by Representative Takko

Adding additional requirements for the storage of ammonia.

Applies to a container that is not conspicuously and legibly marked with the proper United Nations identification number; has fittings that contain brass, copper, or galvanized steel; allows ammonia gas to escape from the container when any valve or other fitting is in the closed, shut, or off position; or does not contain a lock on the valve or other fitting as to help prevent the theft of the pressurized ammonia gas or gas solution.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Criminal Justice & Corrections.

### **HB 2264** by Representative Takko

Ordering a report on the we care plan agency response matrix for drug endangered children.

Requires the governor's council on substance abuse to report its findings and recommendations on the we care plan agency response matrix for drug endangered children to the legislature by December 31, 2005.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Children & Family Services.

# hB 2265 by Representatives McCune, Curtis, Roach and McDonald

Expanding the age for potential victims of child molestation 3

Amends RCW 9A.44.089 to expand the age for potential victims of child molestation.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Criminal Justice & Corrections.

# HB 2266 by Representatives Campbell, Morrell, Green, Moeller, Lantz, Cody and McCune

Concerning access to certain precursor drugs.

Declares that restricting access to certain precursor drugs used to manufacture methamphetamine to ensure that they are only sold at retail to individuals who will use them for legitimate purposes upon production of proper identification is an essential step to controlling the manufacture of methamphetamine.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Health Care. HC - Executive action taken by committee.

### **House Joint Memorials**

**HJM 4020** by Representatives Kilmer, Woods, Haigh and Appleton

Honoring War Dogs.

Requests that the President and Congress of the United States will take the action necessary to authorize the placement of the National War Dog Memorial in a location of honor in Washington, D.C.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to State Government Operations & Accountability.

### **Senate Bills**

SB 5042-S by Senate Committee on Judiciary (originally sponsored by Senator McCaslin)

Tolling the statute of limitations for felonies. Revised for 1st Substitute: Tolling the statute of limitations for felony sex offenses.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in any prosecution for a sex offense as defined in RCW 9.94A.030, the periods of limitation prescribed in this act run from the date of commission or within one year from the date on which the identity of the suspect is conclusively established by deoxyribonucleic acid testing, whichever is later.

### -- 2005 REGULAR SESSION --

Feb 25 JUD - Majority; 1st substitute bill be substituted, do pass.

Feb 28 Passed to Rules Committee for second reading.

Mar 1 Made eligible to be placed on second reading.

SB 5043-S by Senate Committee on Government Operations & Elections (originally sponsored by Senator Mulliken)

Clarifying the responsibility for enforcement noise control rules. Revised for 1st Substitute: Studying the effects of bass sound harmonics.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: (1) Bass sound harmonics may cause adverse auditory and nonauditory effects, including hearing loss, communication and sleep disturbance, increasing stress levels, changes in mood, and impact to cardiovascular and endocrine systems;

- (2) Exposure to bass sound harmonics may cause longterm damage;
- (3) With increasing population sizes and new and developing technologies for the production of bass sound harmonics, more Washingtonians are exposed for longer periods to bass sound harmonics;
- (4) The scientific research into the health effects of bass sound harmonics has not been extensively studied, and state and local programs relating to the restriction on bass sound harmonics should be considered; and
- (5) The state noise program has not been comprehensively reviewed with respect to its application to bass sound harmonics.

Declares an intent to authorize a comprehensive review of current federal research studies on the health effects of bass sound harmonics, if any, and a review of current state and local noise programs that includes provisions relating to bass sound harmonics in order to provide greater understanding of opportunities to strengthen those programs as well as further public education regarding the health effects of bass sound harmonics.

Requires that, by January 1, 2007, the department of health, with the guidance of the board of health, shall provide to the appropriate committees of the senate and the house of representatives an assessment of the health effects of bass sound harmonics and recommendations for reducing the effects

Appropriates the sum of sixty thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the department of health for the purposes of this act. The department may contract with another entity to complete portions of the study provisions in this act, but any contract may not allow greater than twenty-five percent of the total contract amount for indirect costs.

### -- 2005 REGULAR SESSION --

Feb 28 GO - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Minority; without recommendation.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5077-S by Senate Committee on Judiciary (originally sponsored by Senators Eide, Schmidt and Berkey)

Changing duties for aiding injured persons.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that a person is guilty of the crime of failing to summon assistance if: (1) He or she knows that another person has suffered substantial bodily harm as a result of a criminal act and is in need of assistance;

- (2) He or she could reasonably summon assistance for the person in need without danger to himself or herself and without interference with an important duty owed to a third party;
- (3) He or she fails to summon assistance for the person in need; and
- (4) Another person is not summoning assistance for the person in need.

Provides that the duty to summon assistance is satisfied by making reasonable efforts to summon emergency police, fire, or medical assistance that identifies the location of the victim.

Declares that a violation of this act is a misdemeanor.

### -- 2005 REGULAR SESSION --

Feb 25 JUD - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 28 Passed to Rules Committee for second reading.

SB 5125-S by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Kohl-Welles, Poulsen, Keiser, Franklin, Fraser, Kline and Pridemore)

Reducing heavy metals in child use area soils.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares it is the purpose of this act to create the safe playground soils program, through which technical and financial assistance will be provided by state and local health jurisdictions to the owners and operators of facilities having child use areas that may contain soils with elevated levels of heavy metals. It is further the purpose of this act to encourage testing of soils in such areas, and to require testing in geographic zones at higher risk of soil contamination.

Declares that the objective of this program is to obtain comprehensive information on the presence of heavy metals in child use areas, and to ensure that such information is made available to, and in some circumstances specifically provided to, the parents of children attending or using the facility, and the staff that work at the facility. It is the underlying premise of this program that comprehensive and quality data and analysis, shared with all interested persons, will be the basis for timely and effective response measures to protect the health of children.

Provides that the department shall make grants to owners of facilities with child use areas for the purpose of testing soils within those areas for the presence of heavy metals. The department shall actively publicize the grant program and solicit applications for grants with the objective of obtaining soil test results expeditiously and implementing best management practices where action level exceedances are found.

Provides that, to encourage early testing, for the period from the effective date of this section through June 30, 2007, the amount of the nonstate match required for the grant shall be limited to ten percent of the grant amount. From and after July 1, 2007, the nonstate match shall be no less than fifty percent of the grant amount.

Declares that the following geographic areas are designated higher risk zones for potential soil contamination by heavy metals: (1) The area of potential heavy metal deposition to soils from the Tacoma smelter, generally encompassing portions of King, Pierce, Kitsap, and Thurston counties, and referred to as the Asarco smelter plume zone. The department shall define this zone based upon existing information no later than October 1, 2005;

(2) Any other geographic area that is defined by a local health jurisdiction as having a high probability of encompassing child use areas with the presence of heavy metals in playground soils exceeding action levels.

Directs the department to establish an enforcement forbearance policy regarding owners of facilities implementing best management practices at child use areas under chapter 70.-- RCW (sections 1 through 9 of this act).

Provides that, by July 1, 2007, the department shall adopt as a condition of licensing day-care centers and family day-care providers that the facility is in compliance with

applicable testing requirements and implementation of best management practices under chapter 70.-- RCW (sections 1 through 9 of this act).

Appropriates the sum of one million dollars, or as much thereof as may be necessary, from the state toxics control account to the department of ecology for the biennium ending June 30, 2007, to carry out the purposes of this act.

### -- 2005 REGULAR SESSION --

Feb 11 WEE - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass 1st substitute.

And refer to Ways & Means. Referred to Ways & Means.

Feb 28 WM - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

SB 5130-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Franklin, Kastama and Rasmussen)

Transporting residents of secure community transition facilities. Revised for 1st Substitute: Notifying affected communities of off-island activities of McNeil Island residents.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that for each resident who participates in offisland activities, a transportation route plan shall be developed by the department.

Provides that an escort shall make a good faith effort to notify law enforcement agencies in the counties and cities in which residents of the secure transition facility regularly participate in employment, education, or social services, or through which these persons are regularly transported, of any deviation from the transportation route plan, either before commencing or while transporting, or as soon thereafter as can be safely accomplished.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5132-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Carrell, Schmidt, Benson, Swecker, Honeyford, Delvin, Schoesler, Roach, Mulliken and Benton)

Protecting public employee personal information. Revised for 1st Substitute: Protecting personal information of public employees and home care workers.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions for the protection of public employee and home care employee personal information.

### -- 2005 REGULAR SESSION --

Feb 28 GO - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 1 Made eligible to be placed on second reading.

SB 5157-S by Senate Committee on Judiciary (originally sponsored by Senators Regala, Carrell, Kline, Roach, Zarelli, Kastama, Oke, Franklin, Brandland, McCaslin and Shin)

Revising provisions relating to local law enforcement automatic fingerprint identification systems.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent of this legislation to allow local law enforcement agencies to purchase or lease any automatic fingerprint identification system, provided that the system complies with national industry standards for interoperability as developed by the national institute of standards and technology.

Provides that, no later than January 1, 2007, the Washington state patrol's automatic fingerprint identification system shall be capable of instantly accepting electronic latent search records from any Washington state local law enforcement agency. If specific funding for the purposes of this act is not provided by June 30, 2006, in the omnibus appropriations act, or if funding is not obtained from another source by June 30, 2006, this act is null and void.

### -- 2005 REGULAR SESSION --

Feb 28 JUD - Majority; 1st substitute bill be substituted, do pass.
On motion, referred to Ways & Means.

SB 5165-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, Brandland, Roach, Stevens, Regala, Shin, Keiser, McCaslin and Thibaudeau)

Expanding the DNA identification system.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that every adult or juvenile individual convicted of a felony, a gross misdemeanor if the offender has a criminal history that includes a felony committed within the last ten years prior to the current conviction, one of the following offenses: RCW 9A.36.041, 9A.44.096, 9A.44.170, 9A.46.020, 9A.46.110, 9A.88.010, 26.44.080, 26.50.110, or adjudicated guilty of an equivalent juvenile offense, must have a biological sample collected for purposes of DNA identification analysis.

Provides that, beginning in 2010, the chief of the Washington state patrol is authorized to proportionately redistribute account surpluses back to the local governments that contributed to the account. The local governments shall only use the surplus funds for forensic DNA related programs, such as training, DNA collection, and other programs that encourage the utilization of DNA to solve and prevent crimes.

### -- 2005 REGULAR SESSION --

Feb 25 JUD - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Feb 28 Referred to Ways & Means.

SB 5166-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens, Kline, Hewitt, Regala, Zarelli, Brandland, Roach, Carrell, McCaslin and Shin)

Ordering a study of electronic monitoring systems. Revised for 1st Substitute: Authorizing electronic monitoring as an alternative to incarceration.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the Washington association of sheriffs and police chiefs to conduct a comprehensive study on electronic monitoring in every state. The study shall review and analyze each state's activity regarding electronic monitoring. Specifically, the study shall include: (1) How often electronic monitoring is used;

- (2) A description of laws and circumstances of when an offender is placed on electronic monitoring;
- (3) The discovery and analysis of specific programs used to promote electronic monitoring and how they are operated;
  - (4) The type of electronic monitoring technology used;
- (5) Evaluation of offender pay programs and the amount of money recovered from these programs;
- (6) Overall perceptions of electronic monitoring from the criminal justice community, and any real or perceived problems or concerns with electronic monitoring;
- (7) Estimates on savings realized by utilizing electronic monitoring.

Requires the findings and any recommendations from the study to be placed into a final report and presented to the legislature no later than December 31, 2005.

Directs the department to work with the Washington association of sheriffs and police chiefs to establish and operate an electronic monitoring program for low-risk offenders who violate the terms of their community custody. Between January 1, 2006, and December 31, 2006, the department shall endeavor to place at least one hundred low-risk community custody violators on the electronic monitoring program per day if there are at least that many low-risk offenders who qualify for the electronic monitoring program.

Provides that local governments, their subdivisions and employees, the department and its employees, and the Washington association of sheriffs and police chiefs and its employees shall be immune from civil liability for damages arising from incidents involving low-risk offenders who are placed on electronic monitoring unless it is shown that an employee acted with gross negligence or bad faith.

Éxpires December 31, 2006.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5172-S by Senate Committee on Judiciary (originally sponsored by Senators Johnson, Kline, Esser and Weinstein)

Enacting the revised Uniform Arbitration Act.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Enacts the revised Uniform Arbitration Act.

### -- 2005 REGULAR SESSION --

Feb 25 JUD - Majority; 1st substitute bill be substituted, do pass.

Feb 28 Passed to Rules Committee for second reading.

Mar 1 Made eligible to be placed on second reading.

SB 5220-S by Senate Committee on Ways & Means (originally sponsored by Senators Kastama, Pridemore, Fraser and Berkey; by request of Department of General Administration)

Managing the motor pool within the department of general administration.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to the motor pool within the department of general administration.

Repeals RCW 43.19.605.

### -- 2005 REGULAR SESSION --

Feb 28 WM - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5234-S by Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Jacobsen, Oke, Swecker, Doumit, Hargrove and Rasmussen)

Expanding hunter access to certain private lands.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the director to make written agreements with the owners or lessees of real or personal property to provide for the use of the property for fish, shellfish, and wildlife-oriented recreation. These agreements terminate upon the sale of any portion of the real or personal property covered under an agreement. The director may only enter into agreements with a lessee where the owner of the real or personal property provides written consent to the agreement.

Authorizes the department to furnish money, material, or labor under these agreements where the agreements provide for public access to the real property.

Declares that a surcharge of five dollars for residents and twenty-five dollars for nonresidents is applied to all big game and all small game licenses not purchased with a big game license for management of recreational access and habitat enhancement agreements as authorized in RCW 77.12.320. The surcharge for the three-day nonresident small game license is five dollars.

Requires all revenue derived from this surcharge to be deposited in the state wildlife fund and must be used only for the management and implementation of wildlife recreational access and habitat enhancement agreements authorized in RCW 77.12.320. Administrative costs charged to this program may not exceed ten percent of annual expenditures.

### -- 2005 REGULAR SESSION --

- Feb 25 NROR Majority; 1st substitute bill be substituted, do pass.
- Feb 28 Passed to Rules Committee for second reading.

SB 5242-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Doumit, Brandland, Hargrove, Pridemore, Kohl-Welles and Rasmussen)

Harmonizing penalties for inmates possessing weapons.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 9.94.040 relating to inmates of local correctional institutions possessing weapons.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 1 Made eligible to be placed on second reading.

SB 5259-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, Franklin, Mulliken, Keiser, Rockefeller and Shin)

Limiting prosecution of persons reporting drug overdoses.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a person shall not be charged, subject to civil forfeiture, or otherwise prosecuted for a violation of chapter 69.50 RCW if: (1) The person was a witness to a drug overdose;

- (2) The person reasonably believed that the overdose would result in an imminent threat to the health or life of the overdose victim;
- (3) The person reported the drug overdose to law enforcement or summoned medical assistance at the time it was witnessed; and
- (4) All evidence of the specific violation was gained as a result of the person's report.

Does not apply to prosecutions under RCW 69.50.415. Does not apply to prosecutions where the person who reported the overdose sold the drugs to the victim.

### -- 2005 REGULAR SESSION --

- Feb 25 JUD Majority; 1st substitute bill be substituted, do pass.
- Feb 28 Passed to Rules Committee for second reading.

SB 5288-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators McAuliffe, Hargrove, Stevens, Regala, Thibaudeau and Carrell)

Specifying how custodial interrogations of juveniles may be conducted.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that, when a law enforcement officer takes a juvenile into custody, the officer must immediately make reasonable attempts to notify a parent, guardian, or custodian that the juvenile is in custody, and where the juvenile is being held.

Provides that when a parent, guardian, or custodian requests to consult with a juvenile in custody and makes himself or herself immediately available, he or she must be permitted to consult with the juvenile immediately upon his or her request, unless: (1) The juvenile objects to the consultation while in the presence of the parent, guardian, or custodian: or

(2) The parent, guardian, or custodian is a codefendant or victim of the juvenile.

Provides that, prior to questioning a juvenile in custody, law enforcement must advise a juvenile of his or her rights in substantially the following language: (1) That the juvenile has a right to remain silent;

- (2) That any statement the juvenile makes can be and may be used against the juvenile;
- (3) That the juvenile has a right to consult with an attorney and the right to have an attorney present during questioning;
- (4) That if the juvenile or his or her family cannot afford to hire an attorney, an attorney will be provided; and
- (5) That the juvenile has a right to consult with his or her parent, guardian, or custodian.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.

Mar 1 Passed to Rules Committee for second reading.

SB 5293-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Mulliken, Hargrove, Stevens and Delvin)

Requiring DSHS to investigate fraud and to cooperate with fraud investigations. Revised for 1st Substitute: Creating the office of inspector general.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes in the office of the attorney general, the office of inspector general. The office of inspector general shall be directed by the inspector general who shall be appointed by the attorney general. The office of inspector general shall investigate welfare fraud and public assistance fraud in Washington state. Welfare includes public assistance programs and benefits, temporary assistance for needy families, WorkFirst, electronic benefits transfer, food stamps, and child care benefits. Medicaid fraud shall be referred to the medicaid fraud control unit of the office of the attorney general for investigation.

Requires the office of inspector general to publish a report to the legislature annually which shall include a narrative and corresponding statistical data on its activities. This annual report may include recommendations for agency operations and policies, legislative action, government oversight, or funding. The report is due January 1, 2006, and each year thereafter.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5333-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Regala, Esser, Prentice, Hewitt, Pridemore and McCaslin)

Modifying requirements for voter-approved property tax levies.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 84.55.050 to revise requirements for voter-approved property tax levies.

### -- 2005 REGULAR SESSION --

Feb 25 GO - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Minority; without recommendation.

Feb 28 On motion, referred to Ways & Means.

SB 5375-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kline and Rockefeller; by request of Sentencing Guidelines Commission)

Regulating supervision of offenders who travel or transfer to or from another state.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the department to supervise nonfelony offenders transferred to Washington pursuant to RCW 9.94A.745, the interstate compact for adult offender supervision, and shall supervise these offenders according to the provisions of chapter 9.94A RCW.

Requires the department to process applications for interstate transfer of felony and nonfelony offenders pursuant to RCW 9.94A.745, the interstate compact for adult offender supervision, and may charge offenders a reasonable fee for processing the application.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

SB 5404-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, Oke, Fairley, Swecker, Pridemore, Esser and Delvin)

Paying for certain actions and proceedings for damages brought against law enforcement officers.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions for the payment for certain actions and proceedings for damages brought against law enforcement officers.

### -- 2005 REGULAR SESSION --

Feb 25 JUD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second Feb 28 reading.

SB 5441-S2 by Senate Committee on Ways & Means (originally sponsored by Senators Weinstein, McAuliffe, Prentice, Kohl-Welles, Eide, Berkey, Poulsen, Keiser, Brown, Fraser, Shin, Haugen, Schmidt, Kline, Rockefeller, Spanel and Rasmussen; by request of Governor Gregoire)

Requiring an education and higher education finance study.

### (DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that: (1) The early years mark the most extraordinary period of growth for young children. The state's role in providing access to early learning opportunities has never been consistently defined;

- (2) More than a quarter of a century has passed since the current school finance system was first created, and the challenges facing our schools and students have grown and changed dramatically during that time. Policies have been established creating new expectations and goals for students under education reform;
- (3) Demographic pressures and work force needs will continue to increase demand for access to postsecondary education and training. Public two-year and four-year institutions of higher education are also important avenues for programs such as adult basic education and English as a second language that are the foundation for employment and further education for an increasing number of people. Students have paid an increasing cost of their education with tuition growing faster than personal income or inflation; and
- (4) Through a comprehensive study, the legislature will have solid information to determine how best to use its resources to create a strong education system that will provide an educated citizenry and a thriving economy in this

Requires the steering committee to provide interim reports to the appropriate fiscal and policy committees of the senate and the house of representatives by November 15, 2005, and June 16, 2006. These interim reports shall document ongoing work to-date, initial findings, and next The November 15, 2005, interim report may recommend possible action items for consideration in the 2006 legislative session.

Requires the final report and recommendations of the steering committee to be submitted to the legislature by November 15, 2006.

### -- 2005 REGULAR SESSION --

Feb 28 WM - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

Mar 1 Placed on second reading by Rules Committee.

SB 5457-S by Senate Committee on Judiciary (originally sponsored by Senators Esser, Kline, Weinstein, Prentice, Carrell, Johnson and Shin)

Increasing penalties for failure to secure a vehicle load on a public highway.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Increases penalties for failure to secure a vehicle load on a public highway.

### -- 2005 REGULAR SESSION --

Feb 28 JUD - Majority; 1st substitute bill be substituted, do pass.

> Passed to Rules Committee for second reading.

Mar 1 Made eligible to be placed on second reading.

SB 5641-S by Senate Committee on International Trade & Economic Development (originally sponsored by Senators Eide, Haugen, Shin, Keiser, Franklin, Rasmussen, McAuliffe and Kohl-Welles)

Providing for small business and entrepreneurial development.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that: The state's current mechanisms for encouraging and supporting entrepreneurship is inadequate; training and technical support for small businesses and entrepreneurial development is fragmented; no comprehensive plan guides the different entities providing services; and there is no single point of leadership and responsibility.

Declares an intention to increase job creation in the state by providing a comprehensive network of technical assistance, training, and support services to entrepreneurs and start-up firms; encouraging self-employment, and coordinating private and public support to entrepreneurs and start-up firms. It is the purpose of this act to create a coordinated, efficient, responsive, and accountable system to support small business and entrepreneurial development.

Creates the Washington entrepreneurial assistance center in the department of community, trade, and economic development.

Finds that the establishment of a self-employment assistance program would assist unemployed individuals and create new businesses and job opportunities in Washington state. The commissioner is directed to inform individuals identified as likely to exhaust regular unemployment benefits of the opportunity to enroll in commissioner-approved self-employment assistance programs.

### -- 2005 REGULAR SESSION --

Feb 25 ITED - Majority; 1st substitute bill be substituted, do pass. And refer to Ways & Means.

Minority; without recommendation.

Feb 28 Referred to Ways & Means. SB 5643-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Kline and Brandland)

Exempting community notification and release of sex offender information from public disclosure.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that it is and has been the intent of the legislature that information regarding sex offenders be shared between state agencies and with local law enforcement, and that public disclosure of sex offender information that is accurate, relevant, and necessary to protect the public be managed by and controlled through the community notification statute, RCW 4.24.550.

Finds that law enforcement has been, and continues to be, the most reliable means of ensuring that the information released protects the public, protects the confidentiality of victims, protects ongoing criminal investigations, and complies with the confidentiality provisions of other federal and state laws.

Finds that to accomplish its penological duties, the department of corrections must receive and use protected information to appropriately confine, supervise, treat, and assess the risk of offenders. To further this intent, the legislature has authorized the end of sentence review committee to access and consider information that otherwise may be confidential for the specific reason of determining if the offender should be referred for civil commitment as a sexually violent predator under chapter 71.09 RCW.

Finds that it is appropriate for the department to share information, beyond what is publicly disclosable, with law enforcement agencies for the appropriate supervision of offenders in the community or for the investigation of criminal acts.

Does not intend that law enforcement bulletins or notes, comments, and assessments of the end of sentence review committee to assess the risk, or plan the transition of sex offenders to the community, be available for public inspection through public disclosure due to the risk that providing the information in such a manner would pose to the state's community notification program and the risk that the information would unnecessarily traumatize the victims of the offenders' previous offenses.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5654-S by Senate Committee on Judiciary (originally sponsored by Senators Prentice, Esser, Oke and Kohl-Welles)

Protecting the privacy of personal information of criminal justice officials.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the dissemination of personally identifying information as proscribed in RCW 4.24.680 is not in the public interest.

Provides that a person shall not knowingly make available on the world wide web the personal information of a peace officer, justice, judge, commissioner, public defender, or prosecutor if the dissemination of the personal information poses an imminent and serious threat to the peace officer's, justice's, judge's, commissioner's, public defender's, or prosecutor's safety or the safety of that person's immediate family and the threat is reasonably apparent to the person making the information available on the world wide web to be serious and imminent.

Provides that any person whose personal information is made available on the world wide web as described in RCW 4.24.680(1) who suffers damages as a result of such conduct may bring an action against the person or organization who makes such information available, for actual damages sustained plus punitive damages in an amount not to exceed ten thousand dollars, and reasonable attorneys' fees and costs.

### -- 2005 REGULAR SESSION --

Feb 25 JUD - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 28 Passed to Rules Committee for second reading.

SB 5666-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Hargrove, McAuliffe, Carrell, Brandland, Delvin, Roach, Rasmussen and Kohl-Welles)

Regarding information sharing in child dependency cases.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that to aid in the prevention of tragic deaths of children in the child welfare system, those responsible for making placement decisions in cases of child abuse or neglect should have the relevant evidence available to them to aid them in making placement decisions that will best protect the safety and welfare of the child.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 1 Made eligible to be placed on second reading.

SB 5719-S by Senate Committee on Human Services & Corrections (originally sponsored by Senator Hargrove)

Extending the community commitment disposition alternative pilot program.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that any county or group of cooperating counties may establish a program to implement the community commitment disposition alternative under this act. Any program shall be limited to ten beds. If a county does not have a program but is a member of a group of cooperating counties that has established a program to implement the community commitment disposition alternative under this act, a court in that county may impose a community commitment disposition alternative as provided in this act.

Requires each county or group of cooperating counties establishing a program to implement the community commitment disposition alternative under this act to provide an interim report on a program to the Washington

association of juvenile court administrators by November 1, 2006, and a final report by May 1, 2007. Each report shall include, but is not limited to, the number of offenders eligible for the program, the number of offenders sentenced to the program, evaluation and treatment costs for each participant, administrative costs, costs of detention, supervision, and other related costs, and whether an offender has reoffended after participation in the program.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5763-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens, Regala, Brandland, Thibaudeau, Carrell, Brown, Keiser, Fairley, McAuliffe, Rasmussen, Kline, Kohl-Welles and Franklin)

Enacting the omnibus treatment of mental and substance abuse disorders act of 2005. Revised for 1st Substitute: Creating the omnibus treatment of mental and substance abuse disorders act of 2005.

### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Enacts the omnibus treatment of mental and substance abuse disorders act of 2005.

Appropriates the sum of . . . . . dollars, or as much thereof as may be necessary, for the biennium ending June 30, 2007, from the general fund to the department of social and health services to provide vendor rate increases for inpatient mental health treatment providers, children's long-term inpatient treatment providers, and chemical dependency treatment providers.

The rate increases shall be prioritized for those programs that maximize the use of evidence-based practices, research-based practices, and consensus-based practices as defined in this act.

Provides that, if specific funding for the purposes of this act, with the exception of sections 301 through 387 of this act, referencing this act by bill or chapter number, is not provided by June 30, 2005, this act is null and void.

Provides that, if specific funding for the purposes of sections 301 through 387 of this act, referencing these sections by bill or chapter number, or by RCW citation, is not provided by June 30, 2009, sections 301 through 387 of this act are null and void.

### -- 2005 REGULAR SESSION --

Feb 28 HSC - Majority; 1st substitute bill be substituted, do pass.
And refer to Ways & Means.
Referred to Ways & Means.

### **SB 6066** by Senator Franklin

Studying breastfeeding women in the workplace.

Directs the joint task force to study the prevalence of breastfeeding women in the workplace. The study should address: (1) The number of breastfeeding women currently in the workplace;

- (2) How the employers accommodate these women's needs to breastfeed or express breastmilk;
- (3) The number of employers that have lactation policies and what the policies consist of;

- (4) The types of facilities provided by employers who accommodate lactating women:
- (5) The cost of accommodating lactating women in the workplace; and
- (6) The employer benefits, if any, that the accommodation of lactating women yielded.

Requires the joint task force to report its findings to the legislature by December 1, 2005.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Labor, Commerce, Research & Development.

SB 6067 by Senators Kline, Thibaudeau and Kohl-Welles

Abolishing the death penalty.

Abolishes the death penalty.

Repeals provisions of chapter 10.95 RCW.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Judiciary.

### SB 6068 by Senator Poulsen

Creating an aquatic reserve system.

Finds that the state's more than two million acres of state-owned aquatic lands are a valuable treasure belonging to all the citizens of the state, and support important recreational, navigational, commercial, industrial, residential, fisheries harvest, and other uses that benefit the entire state.

Finds that there are specific limited areas of these lands that possess unique or significant characteristics making them most valuable for maintaining their relatively undeveloped condition and continuing to support important natural ecosystem functions.

Declares it is therefore the purpose of this chapter to establish a system of reserves of state-owned aquatic lands and a means whereby the long-term conservation of these lands can be accomplished.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Water, Energy & Environment.

### **SB 6069** by Senators Thibaudeau and McAuliffe

Creating a fund to reimburse group life insurance premiums paid by members of the Washington state national guard.

Čreates the Washington national guard life insurance reimbursement account in the custody of the state treasurer. All receipts from appropriations, gifts, grants, donations, and bequests to the fund must be deposited into the account. Expenditures from the account may be used only for reimbursing eligible members of the Washington national guard for premiums paid for benefits under the service members' group life insurance program under 38 U.S.C. Sec. 1965 et seq. as amended. Only the adjutant general or a designee may authorize expenditures from the account.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Ways & Means.

### SB 6070 by Senators Swecker, Schmidt and Stevens

Extending certain commute trip reduction grants.

Requires the commute trip reduction task force to develop an application process that may award grants for cost-effective projects of up to five years in length.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Transportation.

### **SB 6071** by Senator Honeyford

Restricting expenditures from the fruit and vegetable inspection account.

Declares an intent to phase out the department of agriculture's practice of using funds from the fruit and vegetable inspection account for the payment of the department's general and overhead expenses.

Declares an intent that the department's general and overhead expenses are paid from the state's general fund.

Provides that, for each fiscal year in the 2005-2007 biennium, the director may authorize the use of up to two hundred fifty thousand dollars from the account for payment of general and administrative expenses of the department, but only if the use of the funds provides some benefit to the fruit and vegetable inspection program.

Provides that, for each fiscal year in the 2007-2009 biennium, the director may authorize the use of up to one hundred twenty-five thousand dollars from the account for payment of general and administrative expenses of the department, but only if the use of the funds provides some benefit to the fruit and vegetable inspection program.

### -- 2005 REGULAR SESSION --

Mar 1 First reading, referred to Ways & Means.

S	ENATE	HOUSE		
SB 5049 Supp. 3 SB 5050 Supp. 3	SB 5115-S Supp. 23 SB 5116 Supp. 4	HB 1047 Supp. HB 1048 Supp.	2 HB 1113 Supp. 5 3 HB 1113-S Supp. 21	
SB 5051 Supp. 3	SB 5117 Supp. 4	HB 1049 Supp.	3 HB 1114 Supp. 5	
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SB 5063 Supp. 3	SB 5129 Supp. 5	HB 1059 Supp.	3 HB 1127 Supp. 6	
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SB 5065 Supp. 3	SB 5132 Supp. 5	HB 1061 Supp.		
SB 5065-S Supp. 36 SB 5066 Supp. 3	SB 5133 Supp. 5 SB 5134 Supp. 5	HB 1062 Supp. HB 1062-S Supp.		
SB 5067 Supp. 3	SB 5135 Supp. 5	HB 1062-S Supp.	21 HB 1132 Supp. 6	
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SB 5071 Supp. 3	SB 5139 Supp. 5	HB 1064-S Supp.	11 HB 1134 Supp. 6	
SB 5072 Supp. 3 SB 5073 Supp. 3	SB 5139-S Supp. 18 SB 5140 Supp. 5	HB 1065 Supp. HB 1066 Supp.	3 HB 1135 Supp. 6 3 HB 1136 Supp. 6	
SB 5074 Supp. 3 SB 5075 Supp. 3	SB 5140-S Supp. 20	HB 1067 Supp.	3 HB 1137 Supp. 6	
SB 5076 Supp. 3	SB 5141 Supp. 5 SB 5142 Supp. 5	HB 1068 Supp. HB 1069 Supp.	3 HB 1137-S Supp. 24 3 HB 1138 Supp. 6	
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